

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of *Burbank et al.*

For: **TISSUE ACCESSING AND ANCHORING  
DEVICE AND METHOD**

) Examiner: Matthew D. Dryden

) Group Art Unit: 3736

Serial No.: 10/729,086

Filed: December 5, 2003

Atty. Docket No.: R0367-02501

) **TRANSMITTAL**

**CERTIFICATE OF MAILING BY EXPRESS MAIL PURSUANT TO 37 C.F.R. §1.8**

I hereby certify that these papers are being sent by Express Mail, Label No. ER 492872285 US, addressed to Attn: Examiner Matthew D. Dryden, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 22, 2005, in San Francisco, CA.

Anne Marie Leavy

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 9/23/2005; Information Disclosure Statement; PTO-1449 Form including non-US Patents and literature references and return receipt postcard.
2. Claim Fee Calculation  
☒ No additional claim fee is required.  
☐ Amendment increases number of claims or multiple dependencies.

**Additional Claim Fee Calculation**

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	5 - 5 =	0 x	\$100=	\$ 0
Total Claims	2202	41 - 41 =	0 x	\$25=	\$ 0

**Total Fees Due.....\$-0-**

3. Payment of Fees

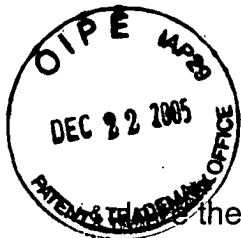
Enclosed is a check for the total fees due in the amount of \_\_\_\_\_.

☒ The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-02501.

By: \_\_\_\_\_

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Examiner: Matthew D. Dryden  
Group Art Unit: 3736

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**AMENDMENT AND RESPONSE  
TO OFFICE ACTION MAILED  
09/23/2005**

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*Anne Marie Leavy*  
Anne Marie Leavy

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed September 23, 2005, please amend  
this application as indicated below: